

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SAMANTHA LAPELLA,

Plaintiff,

v.

CITY OF ATLANTIC CITY, et al.,

Defendants.

HONORABLE JEROME B. SIMANDLE

Civil No. 10-2454 (JBS/JS)

ORDER

This matter having come before the Court upon motion of Defendants City of Atlantic City, Atlantic City Police Department, John J. Mooney, and Thomas Moynihan for Judgment on the Pleadings [Docket Item 63]; the Court having considered the submissions of the parties in support thereof and opposition thereto; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS this 18th day of July, 2012 hereby

ORDERED that Defendants' motion shall be **GRANTED** to the following extent; and it is further

ORDERED that the Atlantic City Police Department is **DISMISSED WITH PREJUDICE**; and it is further

ORDERED that Count VI of Plaintiff's complaint and all claims against Defendant Mooney shall be **DISMISSED WITHOUT PREJUDICE** to Plaintiff moving for leave to amend its Complaint within 14 days of the entry of this Order, consistent with this opinion; and it is

further

ORDERED that if a motion to amend is not timely filed, then the dismissal of Counts VI and Defendant Mooney will be **WITH PREJUDICE**.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
Chief U.S. District Judge